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**PART I AND II**  
**STANDARD AND GENERAL PERMIT CONDITIONS**

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**PART I STANDARD PERMIT CONDITIONS**

**I.A Effect of Permit**

**I.A.1** The Permittees are authorized to treat, store, and dispose of dangerous waste in accordance with the Conditions of this Permit. Any treatment, storage, or disposal of dangerous waste by the Permittees at the Facility that is not authorized by this Permit, and for which a Permit is required by [Chapter 173-303](#) WAC, is prohibited.

**I.A.2** Compliance with this Permit constitutes compliance with [WAC 173-303-140](#), [WAC 173-303-180](#), [WAC 173-303-280 through -395](#), [WAC 173-303-600 through -695](#), [WAC 173-303-810](#), and [WAC 173-303-830](#), except for permit modifications and those requirements that become effective by statute or are adopted under 40 CFR Part 268 restricting placement of dangerous waste in or on the land. Regulatory and other requirements incorporated by reference are the regulatory or other requirements as they exist on the effective date of the final permit. The Permittee still must comply with all other applicable federal, state, and local laws that protect human health and the environment. Compliance with the terms of this Permit does not constitute a defense to any order issued or any action brought under Section 3007, 3008, 3013, or 7003 of RCRA [42 U.S.C. Sections 6927, 6928, 6934, and 6973], Section 104, 106(a) or 107 of the CERCLA [42 U.S.C. Sections 9604, 9606(a), and 9607], as amended, or any other federal, state, or local law governing protection of public health, or the environment. [ [WAC 173-303-810\(8\)](#)]

**I.A.3** USDOE is responsible for compliance with conditions of this Permit, including, but not limited to management and operation of the Facility as necessary to ensure such compliance. [ [WAC 173-303-810\(2\)](#)]

**I.A.3.a** USDOE is responsible for compliance with conditions of this Permit for which its contractors have operational and/or management responsibilities and control. [ [WAC 173-303-810\(2\)](#)]

**I.A.3.b** Where USDOE has delegated operation and/or management of the Facility or some part thereof to a contractor, as operator, as identified in Permit Attachment 8, that operator will be responsible for complying with this Permit. [ [WAC 173-303-810\(2\)](#)]

**I.A.3.c** At least 30 days prior to a delegation as described in Permit Condition I.A.3.b, USDOE will prepare a Class <sup>1</sup>1 Permit modification that identifies the scope of operational control delegated to such operators. [ [WAC 173-303-830\(2\)\(b\)](#)].

**I.A.4 Coordination with the [HFFACO](#)**

**I.A.4.a** Where requirements and schedules under the [HFFACO](#) are incorporated by reference into this Permit, they are incorporated as they are currently in place under the [HFFACO](#) and as they are in the future developed and approved under the [HFFACO](#), as amended. If the Permittees are not in compliance with any requirements of the [HFFACO](#) as so incorporated, Ecology may take action to independently enforce those requirements as requirements under this Permit. In the event the [HFFACO](#) is vacated or terminated, the requirements and schedules under the [HFFACO](#) as incorporated into this Permit that relate to compliance with [WAC 173-303](#) will continue to be enforceable conditions of this Permit, unless or until modified under this Permit. Refer to Permit Condition II.R, for changes to requirements and scheduled by reference in this Permit.

**I.A.5** Coordination with the Consent Decree in *Washington v. Chu*, [Case No. 08-5085-FVS](#). Where requirements and schedules under the Consent Decree in *Washington v. Chu*, [Case No. 08-5085-FVS](#) (Chu Decree) are incorporated by reference into this Permit, they are incorporated as they are currently in place under the Chu Decree and as they are in the future developed and approved under the Chu Decree, as amended.

**I.A.6** In the event that a unit-specific Permit condition in Parts III through VI conflicts with the Part I Standard Conditions and/or Part II General Facility Conditions of the Permit, the unit-specific Permit condition will prevail.

**I.B Property Rights**

Issuance of this Permit does not convey property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, nor any invasion of other private rights, nor any violation of federal, state, or local laws or regulations. [[WAC 173-303-810](#)(8)(c)]

**I.C Permit Actions**

**I.C.1 Facility Construction**

The Permittees may not construct or modify any portion of the Facility subject to this Permit except as provided in this Permit. [[WAC 173-303-800](#) (2); [-830](#); and where applicable [-281](#) and [-282](#)].

**I.C.2 Permit Modification, Revocation, Re-issuance, or Termination**

This Permit may be modified, revoked and reissued, or terminated for cause in accordance with [WAC 173-303-830](#)(3), -(4), and -(5), as applicable. The filing of a request by the Permittees for a Permit modification, revocation and re-issuance, termination, notification of planned changes, or anticipated noncompliance on the part of the Permittees, will not stay any Permit Condition [[WAC 173-303-810](#)(7)].

**I.C.3 Permit Modification Process**

**I.C.3.a** The Permit modification procedures of [WAC 173-303-830](#)(2), (3), and (4) will apply to modifications to this Permit.

**I.C.3.b** The Permittees must submit notice of Class 1 permit modifications to Ecology, by certified mail or other means establishing proof of delivery, within seven calendar days of placing the modification into effect. [[WAC 173-303-830](#)(4)(a)(i)(A)]. In the case of modifications identified as Class <sup>1</sup>1 in [WAC 173-303-830](#), the modification may not be put into effect without prior written approval. The Permittees will submit a compendium of all Class 1 and Class <sup>1</sup>1 permit modifications to Ecology on a quarterly basis within 10 calendar days of the end of the calendar quarter.

**I.C.3.c** The Permittees will notify persons on the Facility mailing list as required by [WAC 173-303-830](#)(4)(a)(i)(B), [-830](#)(4)(b)(ii), [-830](#)(4)(c)(ii), and [-830](#)(4)(e)(ii)(C). The list shall consist of the postal list the Permittees maintains and the HanfordInfo email list Ecology maintains. The Permittees may use the HFFACO Community Relations Plan publications and listserv for public involvement to satisfy the notification requirements.

**I.D Severability**

**I.D.1 Effect of Invalidation**

The provisions of this Permit are severable, and if any provision of this Permit, or the application of any provision of this Permit to any circumstance, is contested or held invalid, the application of such provision to other circumstances and the remainder of this Permit will not be affected thereby. Invalidation of any state statutory or regulatory provision which forms the basis for any Condition of this Permit does not affect the validity of any other state or federal statutory or regulatory basis for said Condition. [[WAC 173-303-815](#)(2)(b)(ii)]

**I.D.2 Final Resolution**

In the event that a Condition of this Permit is stayed for any reason, the Permittees will comply, until final resolution of the stayed condition, with the requirements of either:

1) the corresponding condition(s) in Permit Revision 8C; or

2) if there is no such corresponding condition, then:

(a) a corresponding alternative requirement and/or schedule of compliance in the [HFFACO \[WAC-173-303-840\]\(8\)\(b\)\(iii\)\]](#); or failing that,

(b) any corresponding interim status standards in [WAC 173-303-400](#);

3) unless compliance with the existing conditions would be technologically incompatible with compliance with other conditions of the new permit which have not been stayed.

## **I.E Duties and Requirements**

### **I.E.1 Duty to Comply**

The Permittees will comply with all conditions of this Permit, except to the extent and for the duration such noncompliance is authorized by an emergency Permit issued under [WAC 173-303-804](#). Any unauthorized Permit noncompliance constitutes a violation of [Chapter 70.105 RCW](#), as amended, and is grounds for (a) enforcement action, (b) Permit termination, modification, or revocation and re-issuance, or (c) denial of a Permit renewal application. [[WAC 173-303-810\(2\)](#)]

### **I.E.2 Need to Halt or Reduce Activity Not a Defense**

A Permittee who has not complied with this Permit, and who subsequently is subject to enforcement action, may not argue that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Permit. [[WAC 173-303-810\(4\)](#)]

### **I.E.3 Duty to Mitigate**

In the event of noncompliance with the Permit, the Permittees will take all reasonable steps to minimize releases to the environment, and will carry out such measures as are reasonable to minimize or correct adverse impacts on human health and the environment. [[WAC 173-303-810\(5\)](#)]

### **I.E.4 Proper Operation and Maintenance**

**I.E.4.a** The Permittees will at all times properly operate and maintain all facilities and systems of treatment and control that are subject to requirements of this Permit and are installed or used by the Permittees, to achieve compliance with the Conditions of this Permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities, or similar systems only when necessary to achieve compliance with the Conditions of the Permit. [[WAC 173-303-810\(6\)](#)]

**I.E.4.b** In the absence of manufacturer's instructions or applicable regulatory or code requirements, the Permittees will apply generally accepted operating or engineering practices as necessary to achieve proper operation, maintenance, and protection of human health. [[WAC 173-303-810\(6\)](#)]

### **I.E.5 Duty to Provide Information**

The Permittees will furnish to Ecology, within a reasonable time, any information which Ecology may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Permit, or to determine compliance with this Permit. The

Permittees will also furnish to Ecology, upon request, copies of records required to be kept by this Permit. [ [WAC 173-303-810\(9\)](#)]

**I.E.6 Inspection and Entry**

Pursuant to the requirements of [WAC 173-303-810\(10\)](#), the Permittees will allow Ecology, or authorized representatives, upon the presentation of Ecology credentials, to:

**I.E.6.a** During operating hours, and at all other reasonable times, enter and inspect the Facility or any unit or area within the Facility, where regulated activities are located or conducted, or where records must be kept under the Conditions of this Permit;

**I.E.6.b** Have access to, and copy, at reasonable times, any records that must be kept under the Conditions of this Permit;

**I.E.6.c** Inspect at reasonable times any portion of the Facility, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit: and,

**I.E.6.d** Sample or monitor, in accordance with the requirements of [WAC 173-303-810\(10\)\(d\)](#), incorporated by reference.

**I.E.7 Anticipated Noncompliance**

**I.E.7.a** The Permittees will give advance notice to Ecology of any planned changes in the permitted Facility or activity, which may result in noncompliance with Permit requirements. The Permittees may not treat, store, or dispose of dangerous waste in the modified portion of the Facility except as provided in [WAC 173-303-830\(4\)](#). [\[WAC 173-303-810\(14\)\(b\)\]](#) Prior to the implementation of any planned change(s), the Permittees must receive any Ecology approval required through the Permit modification processing in accordance with Permit Condition I.C.

**I.E.8 Reporting Planned Changes**

**I.E.8.a** The Permittees will give advance notice to Ecology, as soon as possible, of any planned physical alterations or additions to any part of the Facility subject to this Permit. [\[WAC 173-303-810\(14\)\(a\)\]](#) Such notice does not authorize any noncompliance with, or modification of, this Permit. Any Permittee-initiated modification of the Permit must comply with the requirements of [WAC 173-303-830](#). As provided by [WAC 173-303-810\(14\)\(a\)](#), incorporated by reference, the Permittees may not treat, store, or dispose of dangerous waste in any new or modified portion of the Facility until;

**I.E.8.a.i** The Permittees have submitted to Ecology by certified mail or by hand delivery a letter signed by the Permittees and an independent registered professional engineer stating that the facility has been constructed or modified in compliance with the Permit; and either:

**I.E.8.a.ii** Ecology has inspected the modified or newly constructed dangerous waste management unit, and finds that it is in compliance with the Conditions of this Permit; or

**I.E.8.a.iii** Ecology has either waived the inspection or has not notified the Permittees of intent to inspect within 15 business days of the receipt of the Permittee's letter. [\[WAC 173-303-810\(14\)\(a\)\]](#)

**I.E.9 Other Information**

**I.E.9.a** Whenever the Permittees becomes aware that they have failed to submit relevant facts in the Permit application, or submitted incorrect information in the Permit application or in any report to Ecology, the Permittees will promptly submit such facts or information. [\[WAC 173-303-810\(14\)\(h\)\]](#)

**I.F Monitoring, Records, and Reporting**

**I.F.1 Monitoring Methods**

**I.F.1.a** Samples and measurements taken for the purpose of monitoring must be representative of the monitored activity. [[WAC 173-303-810\(11\)\(b\)](#)] The method used to obtain a representative sample of the material to be analyzed will be an appropriate method, as described in [WAC 173-303-110\(2\)-\(4\)](#), incorporated by reference. Ecology may approve alternative methods, as appropriate, on a case-by-case basis (e.g. in a waste analysis plan, corrective action order, or other formal document subject to public notice). [[WAC 173-303-815\(2\)\(a\)](#)]

**I.F.1.b** Testing methods must be those specified in [WAC 173-303-110\(3\)](#) or an equivalent method approved pursuant to Permit Condition I.F.1.c, or a method specified in this Permit. Any appropriate method can be used for process monitoring and control.

**I.F.1.c** If the Permittees seeks authorization for use of testing methods other than those identified in Permit Condition I.F.1.b, the Permittees will submit a petition in accordance with the requirements of [WAC 173-303-910\(2\)](#). If Ecology grants the petition pursuant to [WAC 173-303-110\(5\)](#), the Permittees will submit a permit modification request in accordance with the requirements of [WAC 173-303-830\(4\)](#).

**I.F.2 Monitoring Records**

**I.F.2.a** The Permittees will comply with the requirements of [WAC 173-303-810\(11\)\(c\)](#), incorporated by reference.

**I.F.2.b** The Permittees will comply with the requirements of [WAC 173-303-810\(11\)\(d\)](#), incorporated by reference.

**I.F.3 Monitoring Reports**

**I.F.3.a** Monitoring results must be reported at the intervals specified in Parts III, V, and VI of this Permit. [[WAC 173-303-810\(14\)\(d\)](#)]

**I.F.4 Compliance Schedules**

**I.F.4.a** Reports of Permit compliance or noncompliance or any progress reports on interim and final Permit requirements contained in any compliance schedule must be submitted no later than 14 days following each scheduled date. [[WAC 173-303-810\(14\)\(e\)](#)]

**I.F.5 Immediate Reporting**

**I.F.5.a** The Permittees will comply with the requirements of [WAC 173-303-810\(14\)\(f\)](#), incorporated by reference.

**I.F.6 Emergency Reporting**

**I.F.6.a** The Permittees will comply with the requirements of [WAC 173-303-360\(2\)\(k\)](#), incorporated by reference, with documentation reflected in both the Hanford Facility Operating Record, General File and unit-specific file(s) as appropriate.

**I.F.7 Other Non-Compliance**

**I.F.7.a** The Permittees will report to Ecology all instances of noncompliance with this Permit not otherwise reported according to Permit Conditions I.F.4, I.F.5, or I.F.6. These reports will include applicable information required by [WAC 173-303-810\(14\)\(f\)](#), incorporated by reference. This report will be submitted at the time the Annual Dangerous Waste Report is submitted. An instance of noncompliance under this requirement may instead be documented by inclusion in the Hanford Facility Operating Record maintained pursuant to Permit Condition II.I. [[WAC 173-303-810\(14\)\(g\)](#)]



**I.F.8 Manifest Discrepancy Report**

**I.F.8.a** The Permittees will include a copy of manifest discrepancy reports provided to Ecology pursuant to Permit Condition II.N in the Hanford Facility Operating Record, unit-specific file, including a copy of the applicable manifest or shipping paper.  
[[WAC 173-303-370](#)(4)(b)]

**I.F.9 Un-manifested Waste Report**

**I.F.9.a** The Permittees will submit a report or letter in accordance with the requirements of [WAC 173-303-390](#)(1), incorporated by reference, to Ecology within 15 days of receipt of any un-manifested dangerous waste shipment received from off-site sources.  
[[WAC 173-303-810](#)(14)(i)(ii)]

**I.G Transfer of Permits**

**I.G.1** This Permit may be transferred to a new owner/operator only in accordance with the requirements of [WAC 173-303-830](#)(2), incorporated by reference, to identify the new Permittees and incorporate such other requirements as may be necessary, except that the financial assurance requirements in [WAC 173-303-830](#)(2)(b) do not apply. A unit-specific portion may be transferred to a new operator as a Class <sup>1</sup> modification with prior approval of the Department's director. [[WAC 173-303-810](#)(14)(c)]

**I.G.1.a** Before transferring ownership or operation of the Facility during its operating life, the owner/operator will notify the new owner/operator in writing, of the requirements of [Chapter 173-303](#) WAC and this Permit. [[WAC 173-303-290](#)(2)]

**I.H Duty to Reapply**

**I.H.1** The Permittees, in order to continue any activity subject to this Permit after its expiration date, or if required by Ecology pursuant to [Chapter 173-303](#) WAC to conduct or continue closure, post closure or corrective action activities after the Permit's expiration date, must submit to Ecology a permit application in accordance with [WAC 173-303-806](#), at least 180 days before that expiration date, unless Ecology authorizes a later date.  
[[WAC 173-303-806](#)(6)]

**I.H.2** This Permit and all Attachments, Addenda, and Appendices herein, will remain in effect beyond the Permit's expiration date until the effective date of the new Permit, if either:

**I.H.2.a** The Permittees have submitted a timely and complete permit application for renewal per [WAC 173-303-806](#) and, through no fault of the Permittees, Ecology has not made a final Permit decision as set forth in [WAC 173-303-840](#) with an effective date on or before the expiration date of the previous Permit (for example, when issuance is impracticable due to time or resource constraints).

Or

**I.H.2.b** Ecology requires the Permittees to conduct required closure activities, or continue post closure or corrective action pursuant to [Chapter 173-303](#) WAC. [[WAC 173-303-806](#)(7)]

**I.I Reports, Notifications, and Submissions**

**I.I.1** Except as required pursuant to Permit Condition II.E, all written reports, notifications or other submissions, which are required by this Permit to be sent, or given to the Director or Ecology, should be sent certified mail, overnight express mail, or hand delivered, to the following address:

Program Manager, Nuclear Waste Program  
Washington State Department of Ecology  
3100 Port of Benton Boulevard



Richland, Washington 99354  
Telephone: 509.372.7950

**I.J Annual and Other Reports**

**I.J.1.a** The Permittees will comply with the annual report requirement of [WAC 173-303-390\(2\)\(a\)](#) through (e), and (g) through (i), incorporated by reference. The electronic reporting at [TurboWaste.Net](#) may be used for reporting.  
[[WAC 173-303-810\(14\)\(a\)\(i\)\(iii\)](#)]

**I.J.2** The Permittees will comply with the requirements of [WAC 173-303-390\(3\)](#), incorporated by reference, regarding additional reports.

**I.J.3** The Permittees must keep a copy of all un-manifested waste reports, annual reports and any other reports submitted pursuant to the requirements of [WAC 173-303-390](#) and Permit Condition I.J. These reports must be kept for a period of 10 years from the report date unless the report is a record that must be kept until closure of the Facility, as specified by the requirements of [WAC 173-303-380](#).

**I.K Signatory Requirements**

**I.K.1** All applications, reports, or information submitted to Ecology that require certification (refer to Permit Attachment 6) will be signed and certified in accordance with the requirements of [WAC 173-303-810\(12\)](#) and (13), incorporated by reference.

**I.L Confidential Information**

Any information submitted by the Permittees to Ecology may be claimed as confidential by the Permittees in accordance with applicable provisions of [WAC 173-303-810\(15\)](#), incorporated by reference.

**I.M Documents to be Maintained at Facility Site**

**I.M.1** The Permittees will maintain the following:

**I.M.1.a** This Permit, all Attachments, Addenda, and Appendices.

**I.M.1.b** The Hanford Facility Operating Record required by Permit Condition II.I.2. These records may be maintained in electronic format, provided that the Permittees maintain and follow written procedures that ensure electronic versions of original documents are true, accurate, and complete. [[WAC 173-303-380\(1\)](#)]

**I.M.2** The Permittees may maintain documents in the Hanford Facility Operating Record at an off-site location, provided the Permittees can produce such documents within a reasonable time, following a request for such documents. For purposes of this permit, "Reasonable time" is generally 15-days or a longer time as agreed to by Ecology.  
[[WAC 173-303-810\(9\)](#)]

**I.M.3** The Permittees will maintain the information specified in Permit Condition I.M.1 until final closure of the Facility, including completion of any required post closure care or corrective action. [[WAC 173-303-380\(1\)](#)]

**I.M.4** The Permittees will maintain the dangerous waste Part B permit application and all permit modification requests, in the TPA Administrative Record file, located at 2440 Stevens, Room 1101, Richland, WA 99354. [[WAC 173-303-810\(16\)](#)], referencing [WAC 173-303-281\(6\)\(c\)](#)]

**I.M.4.a** The Permittees may not revise the document storage location specified in Permit Condition I.M.4 without prior Ecology approval obtained through the modification process specified in [WAC 173-303-830\(4\)](#).

**PART II GENERAL FACILITY PERMIT CONDITIONS**

**II.A Facility Contingency Plan**

**II.A.1** The Permittees will comply with enforceable sections of Permit Attachment 4 *Hanford Emergency Management Plan* (DOE/RL-94-02), whenever there is an incident meeting the criteria identified in Permit Attachment 4, §4.2. Enforceable sections of Permit Attachment 4 are identified in Appendix A of Permit Attachment 4. The Permittees will also comply with applicable unit/unit-group-specific contingency plan requirements in Part III. Part V and VI contingency documentation is maintained in the Hanford Facility Operating Record, unit-specific file(s) of this Permit for incidents at the unit/unit group. [[WAC 173-303-360\(2\)](#) and [WAC 173-303-350](#)]

**II.A.2** The Permittees will review and immediately amend, if necessary, Permit Attachment 4 (*Hanford Emergency Management Plan*) and applicable unit/unit-group-specific contingency plan documentation, according to the requirements of [WAC 173-303-350\(5\)](#), incorporated by reference. The Permittees may request and receive additional time to amend the contingency plan upon Ecology approval. Amendments will be made in accordance with the permit modification provisions of Permit Condition I.C.3, within a period agreed upon by Ecology. [[WAC 173-303-350\(5\)](#)]

**II.A.3** The Permittees will comply with the requirements of [WAC 173-303-350\(3\)\(d\)](#) and -360, incorporated by reference, concerning the emergency coordinator, except the names and home telephone numbers will be on file with the single-point of contact telephone numbers 509.373.0911 or for PNNL units, 509.375.2400.

**II.B Preparedness and Prevention**

**II.B.1** The Permittees will design, construct, maintain, and operate the Facility to minimize the possibility of fire, explosion, or any unplanned sudden or non-sudden release of dangerous waste or dangerous waste constituents to air, soil, or surface or groundwater water which could threaten the public health or the environment through the preparedness and prevention measures given in [WAC 173-303-340](#). [[WAC 173-303-340](#)]

**II.B.2** The Permittees will equip the Facility with the equipment specified in Permit Attachment 4, *Hanford Emergency Management Plan* (DOE/RL-94-02), and the corresponding unit-specific preparedness and prevention provisions in Parts III, V, and VI. The Permittees will test and maintain this equipment as necessary to assure proper operation in the event of emergency. [[WAC 173-303-340\(1\)](#)]

**II.B.3** The Permittees will maintain access to communications or alarms, as provided in Permit Attachment 4, Table 5-1, and unit-specific contingency plan requirements referenced in Permit Condition II.A.1. [[WAC 173-303-340\(2\)](#)]

**II.B.3.a** The Permittees will maintain sufficient aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of Facility operation in an emergency unless it can be demonstrated to the Department that aisle space is not needed for any of these purposes. [[WAC 173-303-340\(3\)](#)]

**II.B.3.b** The Permittees will maintain the arrangements with local authorities required by [WAC 173-303-340\(4\)](#) in written documentation, as documented in Permit Attachment 4, Table 3-1. Maintaining written documents with local authorities as indicated provides emergency planning and coordination equivalent to submittal of the contingency plan to local authorities, as required by [WAC 173-303-350\(4\)\(b\)](#).

**II.B.4** The Permittees will comply with the requirements of [WAC 173-303-355](#), incorporated by reference.

**II.C Personnel Training**

**II.C.1** The Permittees will administer, maintain, and conduct the facility personnel training program in accordance with Permit Attachment 5, *Hanford Facility Personnel Training Program*, the training requirements identified in Parts III, V, and VI, and the written training plan for classroom and on the job training required by Permit Condition II.C.2. [\[WAC 173-303-330\]](#)

**II.C.2** Documentation of information required by [WAC 173-303-330\(2\)\(a\)](#), (b), and (c), incorporated by reference, and other personnel training record requirements in Permit Condition II.C.5 will collectively be the written training plan. The Permittees will place this documentation into the Hanford Facility Operating Record. [\[WAC 173-303-330\(2\)\]](#)

**II.C.3** Changes to Permit Attachment 5, Hanford Facility Personnel Training Program and the training requirements identified in Parts III, V, and VI, must be made according to Permit Condition I.C.3 for those elements required by [WAC 173-303-330\(2\)\(b\)](#).

**II.C.4** The Permittees will maintain documentation in the facility operating record of the type of introductory and continuing training requirements in the written training plan described in Permit Condition II.C.2. Changes to course titles or numbers are not subject to the permit modification requirements of [WAC 173-303-830](#).

**II.C.5** The Permittees will maintain personnel training records as follows:  
[\[WAC 173-303-330\(3\)\]](#)

**II.C.5.a** The Permittees will maintain records documenting that Facility personnel have received and completed the training required by the training plan identified in Permit Condition II.C.2 and Permit Attachment 5. [\[WAC 173-303-330\(2\)\(c\)\]](#)

**II.C.5.b** The Permittees will place personnel training records in the Hanford Facility Operating Record, unit-specific file required by Permit Condition II.I.2. Training records may be in electronic or paper format and accessible to Ecology upon request.

**II.C.5.c** The Permittees will keep training records on current personnel until final closure, as described in Permit Condition II.J.4, of the Facility. Training records on former employees must be kept for at least three years from the date the employee last worked at the Facility. Final closure of the Facility includes completion of any post closure care or corrective action required by this Permit. [\[WAC 173-303-330\(3\)\]](#)

**II.C.5.d** Training records may accompany personnel transferred within the Hanford Facility.  
[\[WAC 173-303-330\(3\)\]](#)

**II.D Waste Analysis**

**II.D.1** The Permittees will confirm their knowledge about a dangerous waste before treating, storing, or disposing of the dangerous waste in accordance with [WAC 173-303-300](#).

**II.D.2** The Permittees will satisfy the requirements of Permit Condition II.D.1 through compliance with the requirements of the unit-specific Waste Analysis Plan requirements.  
[\[WAC 173-303-300\(1\)\]](#)

- II.D.2.a** Where Ecology accepts work conducted under the [HFFACO](#) in satisfaction of corrective action requirements of the Permit pursuant to Condition II.Y.2, Permittees will conduct waste and environmental media sampling and analysis in accordance with the associated [HFFACO](#) documentation. If work conducted under the [HFFACO](#) is not accepted by Ecology, per Condition II.Y.2.a.iii, the Permittees will comply with the requirements of [WAC 173-303-300](#) incorporated by reference, develop written SAPs that comply with the requirements of Condition II.D.3 and follow the Class 2 or Class 3 Permit modification processes for each SAP, and any subsequent changes thereto, in accordance with [WAC 173-303-830](#), Appendix I.
- II.D.3** WAPs and SAPs developed or modified under this permit will have quality assurance project plans to ensure that data obtained is of adequate quantity and quality for the intended decision-making purposes. [[WAC 173-303-300](#)(2)(a)(ii), [WAC 173-303-815](#)(2)(b)(ii)]
- II.D.3.a** The level of QA/QC for the collection, preservation, transportation, and analysis of each sample required for implementation of this Permit must be based upon a systematic planning process such as the EPA 7-Step DQO process as defined in [Guidance for the Data Quality Objectives Process \(EPA /600/R-96/055\)](#), EPA QA/G-4, February 2006, as revised.
- II.D.3.b** Quality assurance project plans will be developed in accordance with the following EPA documents, as appropriate.  
["EPA Requirements for Quality Assurance Project Plans" \(EPA/240/B-01/003\)\(EPA QA/R-5\)](#), March 2001 as revised, and  
["Test Methods for Evaluating Solid Waste, Physical/Chemical Methods"](#) (EPA/SW-846 as amended).  
  
Guidance on preparing quality assurance project plans can be found in:  
Ecology's [Guidelines for Preparing Quality Assurance Project Plans for Environmental Studies, July 2004, Ecology Publication No. 04-03-030](#) or  
[Guidance for Quality Assurance Project Plans \(EPA/240/R-02/009\) QA/G-5](#), December 2002 as revised.
- II.D.3.c** The Permittees will submit analytical laboratory QA/QC plans to Ecology for review prior to use of that laboratory.
- II.D.3.d** Waste designation quality control procedures will follow [WAC 173-303-110](#) requirements, incorporated by reference. Ecology must approve method(s) that are not specified in [WAC 173-303-110](#) before they can be used to designate waste.
- II.E** **Cleanup of Released Material**
- II.E.1** The Permittees will comply with the requirements of [WAC 173-303-145](#), incorporated by reference, including notification, mitigation, and control measures specified in [WAC 173-303-145](#)(2), and (3), when any dangerous waste (including mixed waste) or hazardous substance is intentionally or accidentally spilled or discharged into the environment (unless otherwise permitted) such that human health or the environment is threatened, regardless of the quantity of the spill or release:
- II.E.1.a** Notifications to Ecology will be provided to the Central Regional Office at: 509.575.2490.

**II.F Groundwater Monitoring**

**II.F.1** The Permittees will provide groundwater water protection and monitoring in accordance with the requirements established in unit-specific chapters of this Permit. [\[WAC 173-303-645\]](#)

**II.F.2** Use of Alternative Requirements for Ground Water Monitoring of Regulated Units

**II.F.2.a** Permittees will satisfy groundwater water protection and monitoring requirements by complying with conditions established in an enforceable document which may include alternative requirements and schedules in the [HFFACO](#), as amended, where such [HFFACO](#) requirements and schedules are incorporated by reference for that purpose into Part III, V, or VI of this Permit. [\[WAC 173-303-645\(1\)\(e\)\]](#).

Use of alternative requirements may be approved if Ecology determines that the following criteria are satisfied:

- A dangerous waste unit is situated among other solid waste management units or areas of concern, a release has occurred, and both the dangerous waste unit and one or more of the solid waste management units or areas of concern are likely to have contributed to the release; and
- It is not necessary to apply the requirements of [WAC 173-303-645\(2\)](#) through (12) to satisfy designated groundwater water protection and monitoring requirements for a particular unit because the alternative requirements will protect human health and the environment.

**II.F.2.b** Permittees will promptly identify to Ecology any document that revises or supersedes [HFFACO](#) requirements or schedules incorporated into the Permit to satisfy designated groundwater water protection and monitoring requirements.

**II.F.3** If Ecology determines that the [HFFACO](#) requirements or schedules in the revised or superseding document will not protect human health and the environment, and by permit modification imposes groundwater water protection and monitoring requirements pursuant to [WAC 173-303-645](#), [WAC 173-303-646](#), and/or [WAC 173-303-815\(2\)\(b\)\(ii\)](#), then the Permittees may challenge Ecology's authority to impose such requirements through a timely appeal of such permit modification, without argument from Ecology that the Permittee's right to raise such challenge has been waived by a failure to fully litigate that issue through an appeal taken within thirty (30) days of the issuance of this Permit, and without argument from the Permittees that such requirement fails to satisfy a cause for Permit modification under [WAC 173-303-830\(3\)\(a\)](#).

**II.G Siting Criteria**

**II.G.1** The Permittees will comply with the notice of intent and siting criteria requirements of [WAC 173-303-281](#) and [WAC 173-303-282](#), respectively, as applicable, each of which are incorporated by reference.

**II.H Financial Assurance**

The provisions of [WAC 173-303-620](#) are not applicable to USDOE as the owner and operator of the Hanford Facility. The obligations under [WAC 173-303-620\(1\)\(c\)](#), (3) and (5), to provide cost estimates for facility closure and post closure monitoring and maintenance will be deemed satisfied upon USDOE's compliance with the [HFFACO](#) requirement (as currently contained in the M-36 Milestone series) to produce an annual scope, schedule, and cost report. [\[WAC 173-303-620\]](#)



**II.I Facility Recordkeeping**

**II.I.1** The Permittees will comply with the applicable requirements of [WAC 173-303-380](#)(1)(d), (e), (f), (h), and [-380\(3\)](#), incorporated by reference, in addition to unit-specific recordkeeping and reporting requirements specified in Parts III, V, and VI pursuant to [WAC 173-303-380](#).

**II.I.2** The Permittees will maintain a Hanford Facility Operating Record. The Hanford Facility Operating Record will include a General File and unit-specific files that correspond to chapters of Parts III, V, and VI. Except as specifically provided otherwise in this Permit, the Permittees will record in the Hanford Facility Operating Record, all information required by the Permit within seven working days after the information becomes available. Information in the Hanford Facility Operating Record may be maintained in written or electronic format. [[WAC 173-303-380](#)(3) and [-830\(4\)](#)]

**II.I.2.a** The Permittees will make available to Ecology upon request, contents of the Hanford Facility Operating Record. [[WAC 173-303-380](#)(3)(a)]

**II.I.3** The Permittees will include in the Hanford Facility Operating Record all information from the Hanford Facility Operating Record maintained pursuant to the Permit issued August 24, 1994. [[WAC 173-303-281](#)(6)(c)]

**II.I.4** The Permittees will retain information in the Hanford Facility Operating Record, in accordance with the requirements of [WAC 173-303-380](#)(2) and (3), until the Permittees have provided Ecology with certification of completion of closure or post closure care for all dangerous waste management units subject to this Permit and Ecology determines that Facility-wide corrective action is complete. The retention period will be extended automatically during any unresolved enforcement action or as requested by the director. [[WAC 173-303-380](#)]

**II.I.5** The following records will be placed in the Hanford Facility Operating Record, in addition to recordkeeping requirements specified elsewhere in this Permit:

**II.I.5.a** Written reports pursuant to the Contingency Plan according to the requirements of Permit Condition II.A.1. [[WAC 173-303-380](#)(1)(d)].

**II.I.5.b** Summaries of all records of corrective actions.

**II.I.5.c** A description of and the quantity of each dangerous waste received or managed on-site, and the method(s) and date(s) of its treatment, storage, or disposal at the facility. [[WAC 173-303-380](#)(1)(a)] This documentation will be maintained in the Hanford Facility Operating Record, unit-specific file corresponding to the receiving unit from the time the waste is received.

**II.I.5.d** Preparedness and prevention arrangements made pursuant to the requirements of [WAC 173-303-340](#)(4) and documentation of refusal by state or local authorities that have declined to enter into agreements in accordance with the requirements of [WAC 173-303-340](#)(5), as discussed in Permit Condition II.B.3.b.

**II.J Closure and Post Closure**

**II.J.1** The Permittees will close and conduct post closure activities for all dangerous waste management units at the Facility as specified in Parts III, V, and/or VI of this Permit. [[WAC 173-303-610](#)]

**II.J.2** The Permittees will submit a written notification of, or request for, a Permit modification to authorize a change in operating plans, facility design, or the approved closure plan, in accordance with the requirements of [WAC 173-303-610](#)(3)(b), incorporated by reference.



- II.J.3** The Permittees will provide prior written notice to Ecology of the date they expect to begin closure of any dangerous waste management unit subject to the requirements of this Permit according to the requirements of [WAC 173-303-610\(3\)\(c\)](#), incorporated by reference.
- II.J.4** Final closure of the Hanford Facility will be achieved when the following activities have been completed: (1) closure, (2) post closure, and (3) corrective action. Completion of closure and post closure activities will be documented using either certifications of closure, in accordance with the requirements of [WAC 173-303-610\(6\)](#), or certifications of completion of post closure care, in accordance with the requirements of [WAC 173-303-610\(11\)](#).
- II.K** **Equivalent Materials**
- II.K.1** The Permittees may substitute an equivalent or superior product for any equipment or materials specified in this Permit under provisions of Permit Condition I.C.3. A substitution will not be considered equivalent unless it is at least as effective as the original equipment or materials in protecting human health and the environment.
- II.K.2** The Permittees will place in the Hanford Facility Operating Record unit-specific file within seven (7) days after the change is put into effect, the substitution documentation, accompanied by a narrative explanation, and the date the substitution became effective.
- II.K.3** If Ecology determines that a substitution was not equivalent to the original, it will notify the Permittees that the Permittees' claim of Class 1 modification has been denied, of the reasons for the denial, and that the original material or equipment must be used. [\[WAC 173-303-810\(2\)\]](#) If the Class 1 modification is denied, the Permittees will comply with the original Permit specification, find an equivalent or superior substitution, or seek modification of the Permit. [\[WAC 173-303-830\(4\)](#) and [WAC 173-303-815\(2\)\(b\)\(ii\)\]](#)
- II.L** **Security**
- II.L.1** The Permittees will maintain and operate the general security measures documented in Permit Attachment 3, Security. [\[WAC 173-303-310\]](#)
- II.M** **Receipt of Dangerous Wastes Generated Offsite**
- II.M.1** **Receipt of Off-Site Waste**
- II.M.1.a** The Permittees will comply with the requirements of [WAC 173-303-290\(1\)](#), incorporated by reference, for any dangerous waste received from sources outside the United States, and the requirements of [WAC 173-303-290\(3\)](#), incorporated by reference, for any dangerous waste received from off-site generators.
- II.N** **Manifest System**
- II.N.1** The Permittees will maintain copies of waste transportation documentation required in Permit Condition II.N in the Hanford Facility Operating Record, unit-specific file. [\[WAC 173-303-370, WAC 173-303-815\(2\)\(a\)\]](#)
- II.N.2** The Permittees will comply with the manifest requirements of [WAC 173-303-370](#), incorporated by reference, for dangerous waste (including environmental media or debris contaminated with or containing dangerous or mixed wastes) received from off-site.
- II.N.3** The Permittees will comply with the requirements of [WAC 173-303-180](#), incorporated by reference, for off-site shipments of dangerous and/or mixed waste from a dangerous waste management unit authorized by this Permit. [\[WAC 173-303-280\(1\)\]](#)
- II.N.4** The Permittees are authorized to use an alternate tracking system to serve the purpose of the manifest. Transportation of dangerous wastes in vehicles along roadways, if such

1 routes are not closed to general public access at the time of transport, can be manifested  
2 pursuant to an alternate tracking system as allowed by [WAC 173-303-180\(5\)](#). The  
3 alternate tracking system must be a paper system to accompany the waste during  
4 transport. The roadways addressed by this condition are a public or private right-of-way  
5 within or along the border of contiguous property where the movement is under control  
6 of the USDOE. The alternate tracking system will consist of documentation between the  
7 originating Hanford Facility location and the receiving Hanford Facility location  
8 containing the following information unless other unit specified provisions are designated  
9 in Part III or V of this Permit: [\[WAC 173-303-815\(2\)\(a\)\]](#)

10 **II.N.4.a** Originating location's contact name, location, and telephone number;

11 **II.N.4.b** Receiving location's contact name, location, and telephone number;

12 **II.N.4.c** Description of waste;

13 **II.N.4.d** Number and type of containers (including tank truck or tank trailer for liquid waste  
14 shipments);

15 **II.N.4.e** Total quantity of waste;

16 **II.N.4.f** Unit volume/weight;

17 **II.N.4.g** Dangerous waste number(s) or U.S. Department of Transportation hazard class;

18 **II.N.4.h** Special handling instructions including emergency contacts;

19 **II.N.4.i** Waste transported by pipeline on site is exempt from Permit Condition II.N.4;

20 **II.N.4.j** For purposes of Permit Condition II.N.4, the receiving location must be a dangerous  
21 waste management unit authorized by this Permit to accept and manage the type(s) of  
22 dangerous and/or mixed wastes in the shipment, or, for recyclable dangerous waste, to an  
23 onsite location for consolidation.

24 **II.N.5** Representatives of the originating and receiving location will resolve any discrepancies  
25 of information found related to Permit Condition II.N.4.a. [\[WAC 173-303-815\(2\)\(a\)\]](#)

26 **II.N.5.a** If the discrepancies cannot be resolved at the receiving location, a new Hanford Facility  
27 receiving dangerous waste management unit location will be agreed upon, or the waste  
28 shipment will be returned to the originating location. The documentation accompanying  
29 the movement of such a waste shipment will be updated to reflect the new receiving  
30 location.

31 **II.N.6** Documentation must accompany any on-site dangerous waste, which is transported by  
32 vehicle to or from any TSD groups/units subject to this Permit, unless the roadway is  
33 closed to general public access at the time of shipment. Waste transported by pipeline is  
34 exempt from this Permit Condition. This documentation will include the following  
35 information, unless other unit specified provisions are designated in Part III or V of this  
36 Permit: [\[WAC 173-303-815\(2\)\(a\)\]](#)

37 **II.N.6.a** Originating location's contact name, location, and telephone number;

38 **II.N.6.b** Receiving location's contact name, location, and telephone number;

39 **II.N.6.c** Description of waste;

40 **II.N.6.d** Number and type of containers (including tank truck or tank trailer for liquid waste  
41 shipments);

42 **II.N.6.e** Total quantity of waste;

43 **II.N.6.f** Unit of volume/weight;

**II.N.6.g** Dangerous waste number(s) or U.S. Department of Transportation hazard class;

**II.N.6.h** Special handling instructions including emergency contacts.

**II.O Land Disposal Restrictions**

**II.O.1** The Permittees will comply with all Land Disposal Restrictions (LDR) requirements as set forth in [WAC 173-303-140](#), incorporated by reference, as modified by the compliance schedules and treatment requirements for mixed wastes set forth in the [HFFACO](#), as amended, where they are incorporated by reference into this Permit, or as modified by other compliance schedules and treatment requirements specified in this Permit.

**II.P Access to property not owned/controlled by Permittees**

**II.P.1** To the extent that work required by this Permit to mitigate spills or to conduct corrective actions for releases from the facility must be done on property not owned or controlled by the Permittees, the Permittees will make all reasonable attempts to obtain access at these locations. [[WAC 173-303-145](#)(3), [WAC 173-303-64620](#)(2)]

**II.Q Other laws, regulations, Permits or Approvals**

**II.Q.1** The Permittees will comply with the requirements of [WAC 173-303-395](#)(2), incorporated by reference. Nothing in this Permit relieves the Permittees of any obligation to obtain or comply with all other applicable federal, state, and local permits applicable to work required by this Permit.

**II.R Schedule alterations**

**II.R.1** Any changes to [HFFACO](#) requirements and schedules incorporated by reference into this Permit which are granted through the [HFFACO](#) change control process in [Section 12](#) of the [HFFACO](#) Action Plan will be incorporated into this Permit by reference. [[WAC 173-303-815](#)] Such a revision will not require a Permit modification under Permit Condition I.C.3.

**II.S Reserved**

**II.T Waste Minimization**

**II.T.1** In accordance with [WAC 173-303-380](#)(1)(q), the Permittees must place a certification in the Hanford Facility Operating Record unit-specific file on an annual basis that:

**II.T.1.a** A program is in place to reduce the volume and toxicity of hazardous waste generated to the degree determined by the Permittees to be economically practicable; and

**II.T.1.b** The proposed method of treatment, storage or disposal is that practicable method currently available to the Permittees, which minimizes the present and future threat to human health and the environment.

**II.U Mapping of Underground Piping**

**II.U.1** Pursuant to the authority of [WAC 173-303-380](#)(1)(b), ~~-640~~, and ~~-680~~, the Permittees will maintain piping maps for existing, newly identified, and/or new dangerous waste underground pipelines (including active, inactive, and abandoned pipelines), which contain or contained dangerous waste subject to the provisions of [Chapter 173-303](#) WAC at the Hanford Facility.

**II.U.1.a** The maps will identify the origin, destination, direction of flow, size, depth and type (i.e., reinforced concrete, stainless steel, cast iron, etc.), of each pipe, and the location of their diversion boxes, valve pits, seal pots, catch tanks, receiver tanks, and pumps, and utilize Washington State Plane Coordinates, North American Datum 83(91), meters. If the type of pipe material is not documented on existing drawings, the most probable

material type will be provided. The maps will also identify whether the pipe is active, inactive, or abandoned.

**II.U.1.b** The age of all pipes requiring identification pursuant to this Condition will be documented and available for inspection. If the age cannot be documented, an estimate of the age of the pipe will be provided based upon best engineering judgment. These maps need not include the pipes within a fenced tank farm or within a building/structure.

**II.U.1.c** These maps will be compiled using documented QA/QC control methods and procedures outlined in [DOE/RL-96-50](#), *Hanford Facility RCRA Permit Condition II.U.1 Report for Mapping and Marking of Dangerous Waste Underground Pipelines*, as amended. These maps or an alternate approach approved by Ecology and any Attachments thereto will be maintained in the Hanford Facility Operating Record and will be updated annually as required by Permit Condition II.U.2.

**II.U.2** The Permittees will maintain current all maps required by Permit Condition II.U.1. These maps will be updated to incorporate new or revised information available by March 30th of each year. By September 30th of each year, the Permittees will submit to Ecology a list of maps that have been updated. The updated maps (including any Attachments) and the annual list submitted to Ecology will be maintained in the Hanford Facility Operating Record.

## **II.V Marking of Underground Piping**

**II.V.1** Pursuant to the authority of [WAC 173-303-380](#)(1)(b), [-640](#), and [-680](#), the Permittees will maintain marking of underground pipelines subject to this Permit, located outside the 200 East, 200 West, 300, 400, 100N, and 100K Areas. These pipelines will be marked at the point they pass beneath an area fence, at their origin and destination, at any point they cross an improved road, and every 100 meters along the pipeline corridor where practicable. The markers will be labeled with a sign that reads *Buried Dangerous Waste Pipe* and will be visible from a distance of 15 meters.

## **II.W Reserved**

## **II.X Inspections**

**II.X.1** Written Schedule. The Permittees will follow a written schedule for inspecting all monitoring equipment, safety and emergency equipment, security devices, and operating and structural equipment that help prevent, detect, or respond to hazards to the public health or the environment. [[WAC 173-303-320](#)(2)] The written schedule shall include:

**II.X.1.a** The unit-group/unit-specific area inspection requirements identified pursuant to Permit Conditions in Parts III, V, or VI of this Permit.

**II.X.1.b** The Hanford Facility emergency notification system for the 100, 200, 300, and 400 Areas, unless otherwise included in Permit Conditions in Parts III, V, or VI of this Permit.

**II.X.1.c** An annual inspection of:

**II.X.1.c.i** The 100, 200 East, 200 West, 300, and 400 Areas.

**II.X.1.c.ii** The banks of the Columbia River, contained within the Facility boundary. This inspection will be performed from the river, by boat.

**II.X.1.d** The Permittees will visually inspect the areas identified in Condition II.X.1.c for malfunctions, deterioration, operator errors, and discharges which may cause or lead to the release of dangerous waste constituents to the environment, or that threaten human health. Specific items to be noted are as follows:

- 1 **II.X.1.d.i** Remains of waste containers, labels, or other waste management equipment;
- 2 **II.X.1.d.ii** Solid waste disposal sites not previously identified for remedial action;
- 3 **II.X.1.d.iii** Uncontrolled waste containers (e.g., orphan drums);
- 4 **II.X.1.d.iv** Temporary or permanent activities that could generate an uncontrolled waste form; and
- 5 **II.X.1.d.v** Unpermitted waste discharges.
- 6 **II.X.1.e** The Permittees will notify Ecology at least seven (7) days prior to conducting the
- 7 inspections required by Condition II.X.1.c in order to allow representatives of Ecology to
- 8 be present during the inspections. [[WAC 173-303-815](#)(2)(b)(ii)]
- 9 **II.X.1.f** The inspection schedule must be kept at the Facility. [[WAC 173-303-320](#)(2)(a)]
- 10 **II.X.1.g** The inspection schedule must identify the types of problems which are to be looked for
- 11 during inspections. [[WAC 173-303-320](#)(2)(b)]
- 12 **II.X.1.h** The inspection schedule will indicate the frequency of inspection for specific items. The
- 13 frequency should be based on the rate of possible deterioration of equipment, and the
- 14 probability of an environmental or human health incident. Areas subject to spills must be
- 15 inspected daily when in use. [[WAC 173-303-320](#)(2)(c)]
- 16 **II.X.2** Inspection Log. The Permittees will keep an inspection log or summary of inspections
- 17 conducted pursuant to the written inspection schedule required by Permit Condition
- 18 II.X.1. The inspection log or summary of inspections must contain:
- 19 **II.X.2.a** Date and time of the inspection;
- 20 **II.X.2.b** Printed name and the handwritten signature of the inspector;
- 21 **II.X.2.c** Notation of the observations made;
- 22 **II.X.2.d** Date and nature of any repairs or remedial actions taken;
- 23 **II.X.2.e** An account of spills or discharges in accordance with Permit Condition II.E. [[WAC 173-](#)
- 24 [303-320](#)(2)(d)]
- 25 **II.X.3** **Inspection Records.**
- 26 **II.X.3.a** The Permittees will place a copy of the inspection schedules required by Permit
- 27 Condition II.X.1 in the Hanford Facility Operating Record required by Permit Condition
- 28 II.I.2. [[WAC 173-303-320](#)(2)(a)]
- 29 **II.X.3.b** The Permittees will place the inspection log or summary required by Permit Condition
- 30 II.X.2 in the Hanford Facility Operating Record and retain it for at least five years from
- 31 the date of the inspection. [[WAC 173-303-320](#)(2)(d), [WAC 173-303-380](#)(1)(e)]
- 32 **II.X.4** Remedy of Problems. The Permittees will remedy any problems revealed by the
- 33 inspections required by Permit Condition II.X.1 on a schedule which prevents hazards to
- 34 the public health and environment. Where a hazard is imminent or has already occurred,
- 35 remedial action must be taken immediately. [[WAC 173-303-320](#)(3)]
- 36 **II.Y** **Corrective Action**
- 37 In accordance with [WAC 173-303-646](#) and [WAC 173-303-815](#)(2)(b)(ii), the Permittees
- 38 must conduct corrective action, as necessary to protect human health and the
- 39 environment, for releases of dangerous waste and dangerous waste constituents from
- 40 solid waste management units and areas of concern at the Facility, including releases that
- 41 have migrated beyond the Facility boundary. The Permittees may be required to
- 42 implement measures within the Facility to address releases that have migrated beyond the
- 43 Facility's boundary. As specified in Permit Conditions II.Y.1.g, II.Y.2.a.iii, and



II.Y.2.a.ii, the Permittees's right to challenge Ecology's authority to impose corrective action with respect to radionuclides, CERCLA Past Practice (CPP) Units (as identified under Permit Condition II.Y.2.a.) and selected solid waste management units not covered by the [HFFACO](#) at property currently subleased to US Ecology, Inc. (as identified under Permit Condition II.Y.3.a.i), is reserved until such time as Ecology chooses to impose corrective action in accordance with the Permit modification procedures of [WAC 173-303-830](#).

**II.Y.1 Compliance with [Chapter 173-340 WAC](#):**

In accordance with [WAC 173-303-646](#), the Permittees must conduct corrective action "as necessary to protect human health and the environment". To ensure that corrective action will be conducted as necessary to protect human health and the environment, except as provided in Permit Condition II.Y.2, the Permittees must conduct corrective action in a manner consistent with the following provisions of [Chapter 173-340 WAC](#):

**II.Y.1.a** As necessary to select a cleanup action in accordance with [WAC 173-340-360](#) and [WAC 173-340-350](#) State Remedial Investigation and Feasibility Study.

**II.Y.1.b** WAC 173-340-360 Selection of Cleanup Actions.

**II.Y.1.c** WAC 173-340-400 Cleanup Actions.

**II.Y.1.d** WAC 173-340-410 Compliance Monitoring Requirements.

**II.Y.1.e** WAC 173-340-420 Periodic Site Reviews.

**II.Y.1.f** WAC 173-340-440 Institutional Controls.

**II.Y.1.g** WAC 173-340-700 through -760 Cleanup Standards, except that to the extent that Ecology seeks to impose corrective action with respect to radionuclides regulated under the provisions of the [Atomic Energy Act](#), as amended, [42 U.S.C. §2011](#) et. seq. (AEA), the Permittees may challenge Ecology's authority to impose such corrective action through a timely appeal of the Permit modification issued by Ecology without argument from Ecology that such right has been waived by a failure to fully litigate that issue through an appeal taken within thirty days of the issuance of this Permit, and without argument from the Permittees that such requirement fails to satisfy a cause for Permit modification under [WAC 173-303-830](#)(3)(a).

**II.Y.2 Acceptance of Work Under Other Authorities or Programs and Integration with the [HFFACO](#).**

Corrective action is necessary to protect human health and the environment for all units identified in [Appendix B](#) and [Appendix C](#) of the [HFFACO](#). Notwithstanding Permit Condition II.Y.1, work under other cleanup authorities or programs, including work under the [HFFACO](#), may be used to satisfy corrective action requirements, provided it protects human health and the environment.

**II.Y.2.a** For past practice units identified in [Appendix C](#) of the [HFFACO](#), as amended, as CERCLA Past Practice (CPP) Units, Ecology accepts work under the [HFFACO](#), as amended, and under the CERCLA program, as satisfying corrective action requirements to the extent provided for in, and subject to the reservations and requirements of, Permit Conditions II.Y.2.a.i through II.Y.2.a.iv.

**II.Y.2.a.i** For any past practice unit identified in [Appendix C](#) of the [HFFACO](#) as a CPP unit, the Permittees must comply with the requirements and schedules related to investigation and cleanup of the CPP unit(s) developed and approved under the [HFFACO](#), as amended. The requirements and schedules related to investigation and cleanup of CPP units under the [HFFACO](#), as amended, are by this reference incorporated into this Permit under the



terms of Permit Condition I.A.4, and apply under this Permit as if they were fully set forth herein.

**II.Y.2.a.ii** For any past practice unit identified in [Appendix C](#) of the [HFFACO](#) as a CPP unit, in the case of an interim Record of Decision (ROD), a final decision about satisfaction of corrective action requirements will be made in the context of issuance of a final ROD.

**II.Y.2.a.iii** If EPA and Ecology, after exhausting the dispute resolution process under [Section XXVI](#) of the [HFFACO](#), cannot agree on requirements related to investigation or cleanup of CPP unit(s), Ecology will notify the Permittees, in writing, of the disagreement and impose, in accordance with the permit modification procedures of [WAC 173-303-830](#), a requirement for the Permittees to conduct corrective action for the subject unit(s) in accordance with Permit Condition II.Y.1. The Permittees may challenge Ecology's authority to impose such corrective action requirements through a timely appeal of such permit modification, without argument from Ecology that the Permittees' right to raise such challenge has been waived by a failure to fully litigate that issue through an appeal taken within thirty days of the issuance of this Permit, and without argument from the Permittees that such requirement fails to satisfy a cause for Permit modification under [WAC 173-303-830\(3\)\(a\)](#). Within 60 days of receipt of the above permit modification, or within some other reasonable period of time agreed to by Ecology and the Permittees, the Permittees must submit for Ecology review and approval, a plan to conduct corrective action in accordance with Permit Condition II.Y.1 for the subject unit(s). The Permittees' plan may include a request that Ecology evaluate work under another authority or program. Approved corrective action plans under this Permit Condition will be incorporated into this Permit in accordance with the permit modification procedures of [WAC 173-303-830](#).

**II.Y.2.a.iv** The Permittees must maintain information on corrective action for CPP units covered by the [HFFACO](#) in accordance with Sections 9.0 and 10.0 of the [HFFACO Action Plan](#). In addition, the Permittees must maintain all reports and other information developed in whole, or in part, to implement the requirements of Permit Condition II.Y.2.a, including reports of investigations and all raw data, in the Hanford Facility Operating Record in accordance with Permit Condition II.I. Information that is maintained in the Hanford Site Administrative Record may be incorporated by reference into the Hanford Facility Operating Record.

**II.Y.2.b** For past practice units identified in [Appendix C](#) of the [HFFACO](#), as amended, as RCRA-CERCLA Past Practice (R-CPP) units, Ecology accepts work under the [HFFACO](#), as amended, as satisfying corrective action requirements to the extent provided for, and subject to the reservations and requirements of, Permit Conditions II.Y.2.b.i through II.Y.2.b.ii.

**II.Y.2.b.i** For any past practice unit identified in [Appendix C](#) of the [HFFACO](#), as amended, as an R-CPP unit, the Permittees must comply with the requirements and schedules related to investigation and cleanup of R-CPP units developed and approved under the [HFFACO](#), as amended. The requirements and schedules related to investigation and cleanup of R-CPP units under the [HFFACO](#) are by this reference incorporated into this Permit under the terms of Permit Condition I.A.4 and apply under this Permit as if they were fully set forth herein. If the Permittee is not in compliance with requirements and schedules related to investigation and cleanup of R-CPP units developed and approved under the [HFFACO](#), as amended, Ecology may take action to independently enforce the requirements as corrective action requirements under this Permit.

**II.Y.2.b.ii** The Permittees must maintain information on corrective action for R-CPP units covered by the [HFFACO](#), as amended, in accordance with Sections 9.0 and 10.0 of the [HFFACO Action Plan](#). In addition, the Permittees must maintain all reports and other information

developed in whole, or in part, to implement the requirements of Permit Condition II.Y.2.b, including reports of investigations and all raw data, in the Hanford Facility Operating Record in accordance with Permit Condition II.I. Information that is maintained in the Hanford Site Administrative Record may be incorporated into the Hanford Facility Operating Record by reference.

**II.Y.2.c** For each TSD unit, or group of units when the Permittees submit a certification of closure or a certification of completion of post closure care, or at an earlier time agreed to by Ecology and the Permittees, the Permittees must, at the same time, either:

**II.Y.2.c.i** Document that the activities completed under closure and/or post closure satisfy the requirements for corrective action; or

**II.Y.2.c.ii** If the activities completed under closure and/or post closure care do not satisfy corrective action requirements, identify the remaining corrective action requirements and the schedule under which they will be satisfied, if remaining corrective action requirements will be satisfied by work developed and carried out under the [HFFACO](#) provisions for R-CPP units or CPP units, a reference to the appropriate R-CPP or CPP process and schedule will suffice.

**II.Y.2.c.iii** Ecology will make final decisions as to whether the work completed under closure or post closure care satisfies corrective action, specify any unit-specific corrective action requirements, and incorporate the decision into this Permit in accordance with the permit modification procedures of [WAC 173-303-830](#).

**II.Y.2.d** Notwithstanding any other condition in this Permit, Ecology may directly exercise any administrative or judicial remedy under the following circumstances:

**II.Y.2.d.i** Any discharge or release of dangerous waste, or dangerous waste constituents, which are not addressed by the [HFFACO](#), as amended.

**II.Y.2.d.ii** Discovery of new information regarding dangerous waste constituents or dangerous waste management, including but not limited to, information about releases of dangerous waste or dangerous waste constituents which are not addressed under the [HFFACO](#), as amended.

**II.Y.2.d.iii** A determination that action beyond the terms of the [HFFACO](#), as amended, is necessary to abate an imminent and substantial endangerment to the public health, or welfare, or to the environment.

**II.Y.3 Releases of Dangerous Waste or Dangerous Waste Constituents Not Covered By the [HFFACO](#):**

**II.Y.3.a** US Ecology

**II.Y.3.a.i** The following solid waste management units are not covered by the [HFFACO](#):

- US Ecology, Inc., SWMU 1: Chemical Trench.
- US Ecology, Inc., SWMU 2-13: Low-Level Radioactive Waste Trenches 1 through 11A.
- US Ecology, Inc., SWMU 17: Underground Resin Tank.

**II.Y.3.a.ii** Selected solid waste management units identified in Permit Condition II.Y.3.a.i are currently being investigated by US Ecology in accordance with Ecology Agreed Order No. 3834, issued under authority of the Model Toxics Control Act, Chapter 70.105D RCW (MTCA). After completion of the MTCA investigation and prior to the beginning of the 2014 construction season, Ecology will make a tentative decision as to whether additional investigation or cleanup is necessary to protect human health or the environment for the solid waste management units identified in Permit Condition

II.Y.3.a.i, and publish that decision as a draft permit in accordance with [WAC 173-303-840](#)(10). Following the associated public comment period, and consideration of any public comments received during the public comment period, Ecology will publish as final Permit conditions under [WAC 173-303-840](#)(8) either:

- A decision that corrective action is not necessary to protect human health or the environment;
- An extension to the schedule established under Permit Condition II.Y.3.a.ii, or
- A decision, that corrective action, in accordance with Permit Condition II.Y.1, is necessary to protect human health or the environment.

**II.Y.3.a.iii** If Ecology decides under Permit Condition II.Y.3.a.ii that corrective action is necessary to protect human health or the environment, the Permittees may challenge Ecology's authority to impose such corrective action requirements through a timely appeal of such permit modification, without argument from Ecology that the right to raise such challenge has been waived by a failure to fully litigate that issue through an appeal taken within 30 days of the issuance of this Permit, and with argument from the Permittees that such requirement fails to satisfy a cause for permit modification under [WAC 173-303-830](#)(3)(a). Within 180 days of receipt of the above Permit modification, the Permittees must submit, for Ecology review and approval, a plan to conduct corrective action in accordance with Permit Condition II.Y.1. Approved corrective action plans under this condition will be incorporated into this Permit in accordance with the Permit Modification Procedures of [WAC 173-303-830](#).

**II.Y.3.a.iv** US Ecology, Inc., SWMU 17: Underground Resin Tank.

**II.Y.3.b** Selected solid waste management units identified in Permit Condition II.Y.3.a.i are currently being investigated by US Ecology in accordance with the Comprehensive Investigation US Ecology – Hanford Operations Work plan. Following completion of this investigation and any closure required of such solid waste management unit under the authority of the Washington State Department of Health, or within one year of the effective date of this Permit Condition, whichever is earlier, Ecology will make a tentative decision as to whether additional investigation or cleanup is necessary to protect human health or the environment for the solid waste management units identified in Permit Condition II.Y.3.a.i, and publish that decision as a draft permit in accordance with [WAC 173-303-840](#)(10). Following the associated public comment period, and consideration of any public comments received during the public comment period, Ecology will publish as final Permit conditions under [WAC 173-303-840](#)(8) either:

**II.Y.3.b.i** A decision that corrective action is not necessary to protect human health or the environment;

**II.Y.3.b.ii** An extension to the schedule established under Permit Condition II.Y.3.a.ii, or

**II.Y.3.b.iii** A decision, that corrective action, in accordance with Permit Condition II.Y.1, is necessary to protect human health or the environment.

**II.Y.3.c** If Ecology decides under Permit Condition II.Y.3.a.ii that corrective action is necessary to protect human health or the environment, the Permittees may challenge Ecology's authority to impose such corrective action requirements through a timely appeal of such permit modification, without argument from Ecology that the right to raise such challenge has been waived by a failure to fully litigate that issue through an appeal taken within 30 days of the issuance of this Permit, and with argument from the Permittees that such requirement fails to satisfy a cause for permit modification under [WAC 173-303-830](#)(3)(a). Within 180 days of receipt of the above Permit modification, the Permittees must submit, for Ecology review and approval, a plan to conduct

corrective action in accordance with Permit Condition II.Y.1. Approved corrective action plans under this condition will be incorporated into this Permit in accordance with the Permit Modification Procedures of [WAC 173-303-830](#).

**II.Y.3.d**

Newly Identified Solid Waste Management Units and Newly Identified Releases of Dangerous Waste or Dangerous Waste Constituents.

The Permittees must notify Ecology of all newly-identified solid waste management units and all newly-identified areas of concern at the Facility. For purposes of this condition, a "newly-identified" solid waste management unit or a "newly-identified" area of concern is a unit or area not identified in the [HFFACO](#), as amended, on the effective date of this condition and not identified by Permit Condition II.Y.3.a. Notification to Ecology must be in writing and must include, for each newly-identified unit or area, the information required by [WAC 173-303-806\(4\)\(a\)\(xxiii\)](#) and [WAC 173-303-806\(4\)\(a\)\(xxiv\)](#). Notification to Ecology must occur at least once every calendar year, in January, and must include all units and areas newly identified since the last notification, except that if a newly identified unit or area may present an imminent and substantial endangerment to human health or the environment, notification must occur within five days of identification of the unit or area. If information required by [WAC 173-303-806\(4\)\(a\)\(xxiii\)](#) or [WAC 173-303-806\(4\)\(a\)\(xxiv\)](#) is already included in the Waste Information Data System, it may be incorporated by reference into the required notification.

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